

23A

At an IAS Part of the Supreme Court of the State of New York, held in and for the County of the Bronx, at the Courthouse located at 851 Grand Concourse, Bronx, New York 10451, on the 31st day of March, 2015

Hon. Alexander Hunter
Justice

SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF THE BRONX

-----X
HERMINIO PIZARRO and OLGA IRIS GARCIA,

Plaintiffs,

-against-

THE CITY OF NEW YORK, POLICE DEPARTMENT
OF THE CITY OF NEW YORK, P.O. JOSE M. REYNA,
SHIELD NO: 1216, P.O. EFRAIN MORALES, SHIELD
NO: 13473, and 'JOHN DOE,' name fictitious and
intended to be a Police Officer whose name is presently
unknown,

Defendants.
-----X

The above entitled action having come on for trial before the Hon. Alexander Hunter, one of the justices of this Court, and a jury, at Part IA 23A of the Supreme Court of the State of New York, held in and for the County of Bronx, at the county courthouse located at 851 Grand Concourse, Bronx, New York, on the 31st day of July, 2014, and the parties having appeared by their respective attorneys, and the issues having been tried, and the jury having duly rendered a verdict on the 30th day of July, 2014, in favor of the plaintiffs and against defendant, THE CITY OF NEW YORK, POLICE DEPARTMENT OF THE CITY OF NEW YORK and POLICE OFFICER EFRAIN MORALES, in the sum of TWO MILLION DOLLARS (\$2,000,000.00) for past pain and suffering for plaintiff HERMINIO PIZZARO and ONE MILLION DOLLARS

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Judgment Department

JUDGMENT

Index No.: 304460/08

(\$1,000,000.00) for punitive damages against defendant POLICE OFFICER EFRAIN MORALES for plaintiff HERMINIO PIZZARO, and TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) for past pain and suffering for plaintiff OLGA GARCIA, and TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) for past pain and suffering for plaintiff OLGA GARCIA and TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) for punitive damages against defendant POLICE OFFICER EFRAIN MORALES, and the costs and disbursements of the plaintiffs having been duly taxed by the Clerk of this Court in the sum of \$

NOW, on motion of MICHAEL I. BRAVERMAN, attorney of GETZ & BRAVERMAN, P.C., attorneys for plaintiffs, it is

ADJUDGED AND DECREED,

That plaintiffs, HERMINIO PIZZARO and OLGA GARCIA, residing at 615 East 141st Street, Bronx, New York 10454, recover from the defendants, THE CITY OF NEW YORK, THE NEW YORK CITY POLICE DEPARTMENT and POLICE OFFICER EFRAIN MORALES, the sum of TWO MILLION DOLLARS (\$2,000,000.00) for past pain and suffering for plaintiff HERMINIO PIZZARO and ONE MILLION DOLLARS (\$1,000,000.00) for punitive damages against defendant POLICE OFFICER EFRAIN MORALES for plaintiff HERMINIO PIZZARO, and TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) for past pain and suffering for plaintiff OLGA GARCIA, and TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) for past pain and suffering for plaintiff OLGA GARCIA and TWO HUNDRED AND FIFTY THOUSAND DOLLARS (\$250,000.00) for punitive damages against defendant POLICE OFFICER EFRAIN MORALES, with interest there on from July 30, 2014, in the sum of \$ 218,750⁰⁰ (and with additional

interest to run at the rate of nine per centum (9%) per annum, at a per diem sum of \$ 875⁰⁰ for each day thereafter), and with \$ 1382⁰⁰ costs and disbursements as taxed, amounting to the total sum of \$ 3,720,132⁰⁰, and that the plaintiffs have execution for that amount.

Judgment signed this 31ST day of MARCH, 2015

ENTER,



Hon. Alexander Hunter
Justice, Supreme Court



COUNTY
CLERK

LOUIS M. DIAZ

APR 07 2015

SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF THE BRONX

-----X
HERMINIO PIZARRO and OLGA IRIS GARCIA,

Plaintiffs,

INTEREST CALCULATION

Index No.: 304460/08

-against-

THE CITY OF NEW YORK, POLICE DEPARTMENT
OF THE CITY OF NEW YORK, P.O. JOSE M. REYNA,
SHIELD NO: 1216, P.O. EFRAIN MORALES, SHIELD
NO: 13473, and 'JOHN DOE,' name fictitious and
intended to be a Police Officer whose name is presently
unknown,

Defendants.

-----X
Verdict Awarded: \$3,500,000.00

Date of Verdict: July 31, 2014

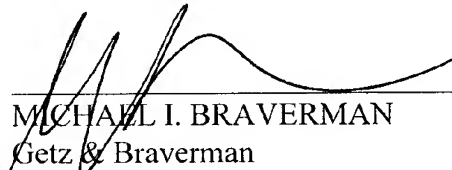
Annual Prejudgment Interest at 9% \$315,000.00

Per Diem Interest: \$1,277.50

Interest from July 31, 2014 - October 30, 2014 \$114,975.00
(90 days x \$1,277.50)

Total Interest through November 1, 2014 \$114,975.00

Dated: Bronx, New York
October 30, 2014


MICHAEL I. BRAVERMAN
Getz & Braverman
Attorneys for Plaintiffs
172 East 161st Street
Bronx, New York 10451
718-993-3000

To: Zachary Carter, Esq.
Corporation Counsel of

the City of New York
198 East 161st Street
Bronx, New York 10451

Supreme COURT
COUNTY OF BRONXHerninio Pizarro and Olga Garcia,

Plaintiff(s)

against

The City of New York, P.O. Efrain
Morales, Shield No. 13473

Defendant(s)

Index No.: 304460/08

Costs of

COSTS

	\$	
Costs before note of issue	200	00
CPLR §8201 subd. 1		
Costs after note of issue	200	00
CPLR §8201 subd. 2		
Trial of issue	300	00
CPLR §8201 subd. 3		
Allowance by statute		
CPLR §8302(a), (b)		
Additional allowance		
CPLR §8302 (d)		
Motion costs		
CPLR §8202		
Appeal to Appellate Term		
CPLR §8203 (b)		
Appeal to Appellate Division		
CPLR §8203 (a)		
Appeal to Court of Appeals		
CPLR §8204		
Costs upon frivolous claims		
and counterclaims		
CPLR §8303-a		

DISBURSEMENTS

Fee for index number CPLR §8018(a)		
Referee's fees CPLR §8301(a)(1), 8003(a)		
Commissioner's compensation CPLR §8301(a)(2)		
Clerk's fee, filing notice of pend. or attach. CPLR §8021(a)(10)		
Entering and docketing judgment CPLR §8301(a)(7), 8016(a)(2)		
Paid for searches CPLR §8301(a)(10)		
Affidavits & acknowledgments CPLR §8009		
Serving copy summons & complaint CPLR §8011(h)(1), 8301(d)	45	00
Request for judicial intervention	95	00
Note of issue CPLR §8020(a)	30	00
Paid referee's report CPLR §8301(a)(12)		
Certified copies of papers CPLR §8301(a)(4)		
Satisfaction piece CPLR §5020(a), 8021		
Transcripts and filing CPLR §8021		
Certified copy of judgment CPLR §8021		
Postage CPLR §8301(a)(12)		
Jury fee CPLR §8020(c)	65	00
Stenographers' fees CPLR §8002, 8301	35	00
Sheriff's fees on execution CPLR §8011, 8012		
Sheriff's fees, attachment, arrest, etc. CPLR §8011		
Paid printing cases CPLR §8301(a)(6)		
Clerk's fees Court of Appeals CPLR §8301(a)(12)		
Paid copies of papers CPLR §8016(a)(4)		
Motion expenses CPLR §8301(b)	45	00
Fees for publication CPLR §8301(a)(3)		
Serving subpoena CPLR §8011(h)1, 8301(d)	168	00
Paid for Search CPLR §8301(a)(10)		
Referee's report		
Attendance of witnesses CPLR §8001(a)(b)(c), 8301(a)(1)		

I hereby certify that I have
adjusted this bill of costs at\$ 1382.00

APR 07 2015

Date

Clerk

COSTS 700.00DISBURSEMENTS 682.00\$ 682.00

SUPREME COURT FOR THE STATE OF NEW YORK
COUNTY OF THE BRONX

-----X
HERMINIO PIZARRO and OLGA IRIS GARCIA,

Plaintiffs,

AFFIRMATION

Index No.: 304460/08

-against-

THE CITY OF NEW YORK, POLICE DEPARTMENT
OF THE CITY OF NEW YORK, P.O. JOSE M. REYNA,
SHIELD NO: 1216, P.O. EFRAIN MORALES, SHIELD
NO: 13473, and 'JOHN DOE,' name fictitious and
intended to be a Police Officer whose name is presently
unknown,

Defendants.

-----X
MICHAEL I. BRAVERMAN, an attorney duly admitted to practice law in the Courts of
the State of New York, hereby affirms the following to be true:

I am the plaintiffs' attorney. The foregoing disbursements have been or will necessarily
be made or incurred in this action and are reasonable in amount and that each of the persons
named as witnesses, attended as such witness on the trial, hearing or examination before trial
herein of days set opposite their names; that each of said persons resided the number of miles set
opposite their names, from the place of said trial, hearing or examination before trial, as such
witness as foresaid necessarily traveled the number of miles so set opposite their names, were
actually and necessarily obtained for use.

Dated: Bronx, New York
 October 30, 2014


MICHAEL I. BRAVERMAN

AFFIDAVIT OF SERVICE

STATE OF NEW YORK, COUNTY OF BRONX ss.:

Maria L. Ortega being duly sworn, deposes and says:

I am over 18 years of age, I am not a party to the action, and I reside in Bronx County in the State of New York.

I served a true copy of the annexed

NOTICE OF SETTLEMENT

on October 30, 2014

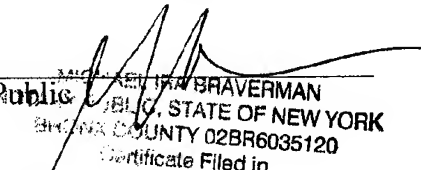
by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee as indicated below:

ZACHARY W. CARTER
CORPORATION COUNSEL
OF THE CITY OF NEW YORK
198 East 161st Street
Bronx, New York 10451



Maria L. Ortega

Sworn to before me October 30, 2014



Notary Public MICHAEL J. BRAVERMAN
JULY 1, 2011 - JULY 1, 2016, STATE OF NEW YORK
BRONX COUNTY 02BR6035120
Certificate Filed in
Bronx County
Commission Expires 12-27-2017